

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
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Olivier MEYER) Group Art Unit: Unassigned
)
Application No.: Unassigned) Examiner: Unassigned
)
Filed: June 14, 2001)
)
For: COMBINATION PRODUCT)
 INTENDED FOR CARRYING OUT)
 A CYTOTOXIC TREATMENT, IN)
 PARTICULAR AN ANTITUMOUR)
 TREATMENT, IN A MAMMAL)
)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-captioned application as follows:

IN THE CLAIMS:

Kindly replace claims 19-26 as follows.

19. (Amended) The combination product of Claim 1, wherein said nucleic acid
(i) is a recombinant vector of plasmid or viral origin.

20. (Amended) The combination product of Claim 1, wherein it is formulated in
a vehicle which is pharmaceutically acceptable.

21. (Amended) Complex comprising at least one nucleic acid (i) containing a sequence encoding a polypeptide of interest, at least one phospholipid (ii) of interest, a substance (iii) which associates with nucleic acids and, optionally, an adjuvant (v), wherein said phospholipid of interest (ii) is as described in claim 1.

22. (Amended) A method for treating the human or animal body comprising administering an effective amount of the combination product of claim 1 to a human or animal in need of such treatment.

23. (Amended) The method according to Claim 22, wherein the treatment is an antitumour and/or antimetastatic treatment.

24. (Amended) The method according to Claim 22, wherein said phospholipid of interest (ii) is administered simultaneously with the nucleic acid (i).

25. (Amended) The method according to claim 22, wherein said combination product or said complex is administered intratumorally or peritumorally.

26. (Amended) The method according to Claim 21, for simultaneously introducing a nucleic acid sequence (i) and a phospholipid (ii) into a cell.

REMARKS

Entry of the foregoing amendment(s) is respectfully requested.

The claims have been amended to eliminate multiple dependency and to place them in better condition for U.S. patent practice.

Should the Examiner have any questions concerning the subject application, a telephone call to the undersigned would be appreciated.

Respectfully submitted,

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032751-049

Attachment to Preliminary Amendment dated June ?, 2001

Marked-up Claims 19-26

19. (Amended) The combination product of Claim 1, [2, 11 or 16,] wherein said nucleic acid (i) is a recombinant vector of plasmid or viral origin.
20. (Amended) The combination product of Claim 1, [2, 11 or 16,] wherein it is formulated in a vehicle which is pharmaceutically acceptable [from a pharmaceutical point of view].
21. (Amended) Complex comprising at least one nucleic acid (i) containing a sequence encoding a polypeptide of interest, at least one phospholipid (ii) of interest, a substance (iii) which associates with nucleic acids and, optionally, an adjuvant (v), wherein said phospholipid of interest (ii) is as described in [any of Claims 1 to 7] claim 1.
22. (Amended) [Use of a combination product according to one of Claims 1 to 20, or of a complex according to Claim 21, for preparing a medicinal product intended] A method for treating the human or animal body comprising administering an effective amount of the combination product of claim 1 to a human or animal in need of such treatment.
23. (Amended) [Use] The method according to Claim 22, [characterized in that] wherein the treatment is an antitumour and/or antimetastatic treatment.

Attachment to Preliminary Amendment dated June 2, 2001

Marked-up Claims 19-26

24. (Amended) [Use] The method according to Claim 22 [or 23], [characterized in that] wherein said phospholipid of interest (ii) is administered simultaneously with the nucleic acid (i).

25. (Amended) [Use] The method according to [one of Claims 22 to 24] claim 22, [characterized in that] wherein said combination product or said complex is administered intratumorally or peritumorally.

26. (Amended) [Use of a complex] The method according to Claim 21, for simultaneously introducing a nucleic acid sequence (i) and a phospholipid (ii) into a cell.

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